

DLJ/JOE: 10/23/02 4630-59094

PATENT
Attorney Reference Number 4630-59094

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Croteau et al.

Art Unit: 1652

Application No. 09/866,570

CERTIFICATE OF MAILING

Filed: May 25, 2001

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service on October 23, 2002 as First Class Mail in an envelope addressed to: BOX NON-FEE AMENDMENT, COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231

For: TRANSACYLASES OF THE PACLITAXEL
BIOSYNTHETIC PATHWAY

Examiner: Kathleen M. Kerr

Date: October 23, 2002

Donald L. Stephens Jr., Esq.
Attorney for Applicant

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TRANSMITTAL LETTER

OCT 30 2002

BOX NON-FEE AMENDMENT
COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

TECH CENTER 1600/2900

Enclosed is a Response to Restriction Requirement for the above application. The fee has been calculated as shown below.

CLAIMS AS AMENDED					
For	No. after amendment	No. paid for previously	Present Extra	Rate	Fee
Total Claims	15	- 15*	= 0	\$18.00	\$ 0.00
Indep. Claims	4	4**	= 0	\$84.00	\$ 0.00
Mult. Dep. Claims Fee (if not previously paid)				\$280.00	
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00

- ☒ No additional fee is required.
- ☒ Please charge any additional fees that may be required in connection with filing this amendment and any extension of time, or credit any overpayment, to Deposit Account No. 02-4550. A copy of this sheet is enclosed.
- ☒ Please return the enclosed postcard to confirm that the items listed above have been received.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By
Donald L. Stephens Jr.
Registration No. 34,022

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Application Number 09/866,570

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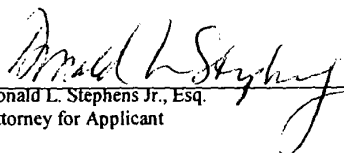
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RESPONSE TO RESTRICTION REQUIREMENT

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Applicants respond to the Office action (Restriction Requirement) dated September 23, 2002, with the following election. Since this response has been filed within one month of the date of the Restriction Requirement, it is believed that no extension of time is necessary.

Applicants hereby elect Examiner's Group XV, SuperGroup B—claims 3-6, 8, 10-11, 14, 16, and 24-27 drawn to nucleic acid molecules and host cells encoding transacylases, classified in class 435, subclass 252.3. Applicants believe that references related to all of the claims now pending in the application can be found in a single search and without undue burden on the Examiner.

Furthermore, applicants intend to pursue claims related to the TAX6 nucleic acid (SEQ ID NO: 44). Applicants believe the present application is in condition for substantive examination, and respectfully request that the Examiner telephone the undersigned patent attorney to discuss how the pending claims can be amended to put them in condition for allowance as quickly as possible. For example, applicants could amend the present claims to mimic the claims allowed in the parent application (Appl. No. 09/457,046), which issued as U.S. Pat. No. 6,287,835 on September 11, 2001, if doing so would put the pending claims in condition for allowance.



Respectfully submitted,

KLARQUIST SPARKMAN, LLP

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